IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

WP(C).No. 23998 of 2005(F)

PETITIONER:

A.RAMACHANDRA IYER, AGED 68 YEARS,
S/O.ANANTHAKRISHNA IYER, LALITHA BHAVAN,
C.M.C. 4/324, CHERTHALA.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW

RESPONDENTS:

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1. CHERTHALA MUNICIPALITY, CHERTHALA
REPRESENTED BY ITS SECRETARY.

2. RAMACHANDRAN NAIR,
VIJAYA VIHAR, C.M.C. 15, CHERTHALA.

3. DR.SING, VIJAYA VIHAR,
C.M.C. 15, CHERTHALA.

R1 BY ADV.MR.J.OM PRAKASH, S.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.23998 of 2005

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Dated: 22nd November, 2006

JUDGMENT

Heard Mr.George Mathew, learned counsel for the petitioner and Mr.J.Om Prakash, learned Standing Counsel who has taken notice on behalf of the 1st respondent-Municipality.

2. The grievance of the petitioner is that respondents 2 and 3 are going ahead with illegal construction of the building upon their property and even though the 1st respondent-Municipality was alerted about the same, the Municipality is not taking any action. I do not propose to examine the genuineness of the grievance. Ext.P2 representation has been submitted by the petitioner before the 1st respondent-Municipality. Even prior to that, Ext.P1 lawyer notice has been issued by the petitioner. The 1st respondent-Municipality will take up Ext.P2, consider the same in the light of Ext.P1 as well as the various grounds raised in the writ petition, hear the petitioner and respondents 2 and 3 and take a correct and just decision at the earliest and at any rate within one month of their receiving a copy of this judgment.

The Writ Petition will stand disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**